

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

NELSON J. OBUS,  
PETER F. BLACK,  
THOMAS BRADLEY STRICKLAND,

Defendants, and

WYNNEFIELD PARTNERS SMALL  
CAP VALUE L.P.,  
WYNNEFIELD PARTNERS SMALL  
CAP VALUE L.P. I,  
WYNNEFIELD PARTNERS SMALL  
CAP VALUE OFFSHORE FUND, LTD.,

Relief Defendants.  
----- X

06 Civ. 3150 (GBD)

**ECF Case**

**NOTICE OF DEFENDANT NELSON OBUS'S  
MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, Defendants' Joint Local Rule 56.1 Statement of Undisputed Facts Material Facts as to Which There is No Genuine Issue to be Tried in Support of Their Motions for Summary Judgment, the Declaration of Mary Kay Dunning, and together with the annexed exhibits, Defendant Nelson Obus, by his undersigned counsel, will move this Court on a date convenient to this Court before the Honorable George B. Daniels, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, Courtroom 21D, 500 Pearl Street, New York, New York 10007-1312, on a date and at a time to be determined by the Court, for an order for summary judgment on each and every count in Plaintiff's complaint pursuant to Rule 56 of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to order of this Court, opposition papers are due on October 13, 2009.

Dated: New York, New York  
September 11, 2009

Respectfully submitted,

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By: \_\_\_\_\_/s/\_\_\_\_\_

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